IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 22 OF 2006

IN

FIRST APPEAL NO. 19 OF 2006

COMMUNIDADE OF QUITOL,THROUGH ITS ATTORNEY, BETUL GOA. ....Applicant

Versus

THE PRESIDENT,FABRICA OF BETUL CHURCH AND 3 ORS., ...Respondents

Ms. Rakhi Chodankar, Advocate for the applicant.

Mr. Arun Bras De Sa, Advocate for respondent No. 2.

Coram:- P.V. KAKADE, J.

Date:- 9th October, 2006

P.C.

Re-issued notice to respondent No.3 is returned unserved with the postal remarks "Not known, returned to sender". However, the Advocate for the applicant submits that respondent No.3 is dead and, therefore, she prays for her deletion.

In view of this position, the name of respondent No.3 stands deleted at the risk of the applicant on the ground that she is reported dead.

Heard Advocate for the applicant as well as respondent no.2. None appears for respondents No.1, and 4(a) to 4(f). This is an application for restraining the defendants No.1 and 2 from withdrawing the amount of compensation deposited before the reference Court in Land Acquisition Case No. 42/1994.

In view of the facts and circumstances, the application is made

absolute in terms of prayer clause (a). The District Court, Margao is directed to invest the said amount in any natinalised Bank for initial period of two years. The application stands disposed of with no order as to costs.

P.V. KAKADE, J.

ssm.